

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,	)	Case No.: CR13-5308BHS
	)	
Plaintiff,	)	
vs.	)	AGREED ORDER POSTPONING TRIAL
	)	UNTIL THURSDAY, OCTOBER 31, 2013
RAY EUGENE CALDWELL,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

Before this Court is a stipulated motion to postpone the trial in the above captioned matter to Thursday, October 31, 2013. The government stipulating to said postponement, the Court finds, after a consideration of all relevant information and the circumstances of this case, that without this postponement the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a postponement under these circumstances would result in a miscarriage of justice. The ends of justice would best be served by the granting of the motion for postponement. The ends of justice outweigh the best interests of the public and the defendant in having the matter continue sooner.

For these reasons, the Court finds the stipulated motion for postponement should be granted. The trial is hereby postponed. Trial shall resume on Thursday, October 31, 2013 at 9:00 a.m.

1 IT IS SO ORDERED.

2 DONE this 8<sup>th</sup> day of October, 2013.

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8 BENJAMIN H. SETTLE  
9 United States District Judge

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11 Presented by:

12 HESTER LAW GROUP, INC., P.S.  
13 Attorneys for Defendant

14 */s/ Wayne C. Fricke*

15 By: \_\_\_\_\_  
16 Wayne C. Fricke  
17 WSB #16550

18 U.S. ATTORNEY'S OFFICE

19 ***Approved Via E-Mail: 10/08/2013***

20 By: \_\_\_\_\_  
21 James D. Oesterle  
22 Assistant U.S. Attorney